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FILED

MAR 11 2013

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:) Case No. 13-22346-C-13
J. PEDRO ZARATE,)
Debtor(s).)

ORDER DETERMINING THAT THE AUTOMATIC STAY IS NOT IN EFFECT

Pursuant to 11 U.S.C. § 362(a)(4)(A), the automatic stay did not go into effect upon the filing of the instant chapter 13 case on February 22, 2013, because the debtor had two single cases pending within the year prior to February 22, 2013. Case No. 11-48088, filed December 1, 2011 (the debtor's fourth case since October 3, 2008), was dismissed March 28, 2012. In addition, Case No. 12-26252, filed March 30, 2012, was dismissed September 11, 2012. There having been two prior cases involving the same debtor pending within the year prior to February 22, 2013, the automatic stay is not in effect.

SO ORDERED.

Dated: March 11, 2013.

UNITED STATES BANKRUPTCY JUDGE

CERTIFICATE OF SERVICE

On the date indicated below, I served a true and correct copy(ies) of the attached document by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed and by depositing said envelope in the United States mail or by placing said copy(ies) into an interoffice delivery receptacle located in the Clerk's Office.

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Dated: 3/12/13


DEPUTY CLERK